

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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63 WEST 104TH STREET OWNER LLC,
et al.,

Plaintiffs,

No. 20 Civ. 5935 (LTS) (JLC)

-v-

JAMES RIVER INSURANCE
COMPANY,

ORDER

Defendant.

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This matter having been commenced by the filing of a complaint on July 30, 2020, and the defendant having failed to interpose a timely answer to the complaint or otherwise move in this proceeding, and the plaintiffs having sought permission to move for a default judgment, and the Court having determined that an investigation of the factual basis of the allegations of the complaint herein pursuant to Fed. R. Civ. P. 55(b)(2) is appropriate, it is hereby

ORDERED, that the plaintiffs may make a motion for a default judgment; and it is further

ORDERED, that the plaintiffs' motion must be accompanied by evidence, in admissible form, of such facts as they would have proffered to meet their burden of proof on its direct case had a trial been held in this action; and it is further

ORDERED, that such motion for default judgment must be served on the defendant and must be accompanied by copies of the Clerk's Certificate and of proof of service of the summons and complaint and the motion for default judgment as provided by the undersigned's Individual Practices Rules; and it is further

ORDERED, that said motion shall be briefed in accordance with the schedule set forth in Local Civil Rule 6.1 and will be taken on submission unless otherwise directed by the Court; and it is further

ORDERED, that plaintiffs must serve a copy of this Order on defendant and file proof of such service within fourteen (14) days from the date hereof.

Dated: New York, New York
December 14, 2020

/s/ Laura Taylor Swain
LAURA TAYLOR SWAIN
United States District Judge